

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4827

AN ORDINANCE reclassifying property located in the Eastgate and Richards Valley Subareas from CB, LI, R-30, LI/C, O, R-5, R-20, R-30 and R-30/PUD to R-5, R-10, R-20, R-20/PUD, R-30, O, and OLB on request of the City of Bellevue and known as the Eastgate and Richards Valley Rezone Project.

WHEREAS, the City of Bellevue filed a request to reclassify property comprising eleven rezone areas located in the Eastgate and Richards Valley Subareas from CB, LI, R-30, LI/C, O, R-5, R-20 and R-30/PUD to R-5, R-10, R-20, R-20/PUD, R-30, O, and OLB; and

WHEREAS, on October 11, 1995, a public hearing was held on the reclassification proposal before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on November 6, 1995, the Hearing Examiner recommended approval, with conditions, of the rezone proposal and made and entered findings of fact and conclusions based thereon in support of that recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner and has determined that the public use and interest will be served by approving the reclassification of said properties from CB, LI, R-30, LI/C, O, R-5, R-20, R-30 and R-30/PUD to R-5, R-10, R-20, R-20/PUD, R-30, O, and OLB with conditions; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions based thereon, made and entered by the Hearing Examiner in support of the recommendation to the City Council approving the reclassification request with regard to the hereinafter described property located in the Eastgate and Richards Valley Subareas with conditions as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner for the City of Bellevue In the

Matter of the City of Bellevue (Eastgate and Richards Valley Rezone Project) Request for Reclassification of 14 Properties or Portions of Properties and Three Segments of the I-90 Freeway in the Eastgate and Richards Valley Subareas in accordance with the Eastgate and Richards Valley Subarea Plans of the Bellevue Comprehensive Plan," File Nos. REZ 95-6724 through 6742.

Section 2. The following described properties are reclassified as indicated:

EG-2

That portion of Section 10, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the North margin of S.E. Eastgate Way (FL5-Line) and the West margin of the FL5 to 136th U.C.-Line, as shown on the SR 90, Richards Road to Lake Sammamish, Right of Way and Limited Access Plans, sheet 4 of 25, dated June 12, 1969; thence Northerly along said West margin to the Northwest margin of said FL5 to 136th U.C.-Line; thence Northeasterly along said Northwest margin to the West margin of 142nd Place S.E. (136th U.C.-Line, as shown on said right of way plans); thence Northerly along said West margin to the North margin of said 142nd Place S.E. at 136th U.C.-Line Station 25 + 00; thence Easterly along said North margin to the East margin of said 142nd Place S.E.; thence Southerly along said East Margin to the North line of the Southeast quarter of said Section 10; thence Easterly along said North line to the West line of the East 560.00 feet of the Northwest quarter of the Southeast quarter of said Section 10; thence Southerly along said West line to the North margin of said S.E. Eastgate Way; thence Westerly along said North margin to the Point of Beginning.

From CB to OLB.

EG-3

That portion of the Southwest quarter of Section 10, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the intersection of the East line of said subdivision and the LL-Line, as shown on the SR 90, Richards Road to Lake Sammamish, Right of Way and Limited Access Plans, sheets 3 and 4 of 25, dated June 12, 1969; thence Westerly along said LL-Line 435.00 feet to the True Point of Beginning; thence Northerly parallel with the East line of said subdivision to the North margin of S.E. Eastgate Way (FR5-Line, as shown on said right of way plans); thence Westerly along said North margin to the Southwest corner of Sunset Ridge I-90 Corporate Campus, Binding Site Plan, as filed under Recording No. 9012180243; thence Southerly along the Southerly extension of the West line thereof to said LL-Line; thence Easterly along said LL-Line to the True Point of Beginning.

From LI to OLB.

EG-13

That portion of the West half of the Southeast quarter of Section 11, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the intersection of the FR10-Line (S.E. Eastgate Way) and the VPROC-Line (S.E. 35th Place), as shown on the SR 90 Richards Road to Lake Sammamish, Right of Way and Limited Access Plans, sheet 7 of 25, dated June 12, 1969; thence Northeasterly along said VPROC-Line to the Turnback Line at station 41 + 51.18 and the True Point of Beginning; thence continuing Northeasterly along said VPROC-Line and the centerline of S.E. 35th Place to the East line of said subdivision; thence Southerly along said East line to the Southeast corner of the Northwest quarter of the Southeast quarter of said Section 11; thence Westerly along the South line thereof 125.00 feet; thence Southwesterly to a point on the Northeast margin of S.E. Eastgate Way (FR9-Line, as shown on said right of way plans) opposite FR9-Line Station 14 + 30; thence Southeasterly along said Northeast margin to the East margin of S.E. Eastgate Way opposite FR9-Line Station 14 + 91.27; thence Southerly along said East margin to the North margin of SR-90, as shown on said right of way plans; thence continuing Southerly along the Southerly extension of said East margin to the LL-Line, as shown on said right of way plans; thence Northwesterly along said LL-Line to a line perpendicular to said LL-Line and which bears Southwesterly from the intersection of the South margin of S.E.

Eastgate Way and the Turnback Line opposite FR9-Line Station 11 + 18.54; thence Northeasterly along said perpendicular line to said intersection; thence Northeasterly along said turnback line to the North margin of said S.E. Eastgate Way; thence Northwesterly along said North margin to the Turnback Line opposite VPROC-Line Station 41 + 51.18; thence Northwesterly along said turnback line to the True Point of Beginning.

From R-30 and O to R-5.

EG-14 (West Portion)

That portion of the South half of Section 11, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the FR2-Line (S.E. Eastgate Way) and the Rel. 156th-Line (156th Avenue S.E.), as shown on the SR 90, Richards Road to Lake Sammamish, Right of Way and Limited Access Plans, sheets 6 and 7 of 25, dated June 12, 1969; thence Northeasterly along said Rel. 156th-Line to the Turnback Line at station 509 + 51; thence Southeasterly along said turnback line to the Northwest line of Lot 2, Block 4, CC and F I-90/Bellevue Business Park Division 4, as recorded in Volume 128 of Plats, Pages 86-88; thence Southwesterly along said Northwest line to the South line of said plat; thence Easterly along the South line of said plat and the South line of Lot 1, Block 1, CC and F I-90/Bellevue Business Park Division No. 1, as recorded in Volume 121 of Plats, Pages 1-3 to the Southeast corner of said Lot 1; thence Northerly along the East line thereof to the Northeast corner of said Lot 1; thence South 84°03'05" East along the Easterly extension of the North line of said Lot 1 to the Rel. 161st-Line (161st Avenue S.E.), as shown on said right of way plans; thence Southwesterly along said Rel. 161st-Line and the Southwesterly extension thereof to the LL-Line, as shown on said right of way plans; thence Westerly along said LL-Line to a line which bears Southerly from the point of beginning and perpendicular to said LL-Line; thence Northerly along said perpendicular line to the Point of Beginning.

From CB to OLB.

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EG-14 (East Portion)

That portion of the Southeast quarter of Section 11, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the Rel. 161st-Line (161st Avenue S.E.) and the FR10-Line (S.E. Eastgate Way), as shown on the SR 90, Richards Road to Lake Sammamish, Right of Way and Limited Access Plans, sheet 7 of 25, dated June 12, 1969; thence Southeasterly along said FR10-Line to the VPROC-Line (S.E. 35th Place), as shown on said right of way plans; thence Northeasterly along said VPROC-Line to the Turnback Line at station 41 + 51.18; thence Southeasterly along said turnback line to the North margin of said S.E. Eastgate Way; thence Southeasterly along said North margin to the Turnback Line of the FR9-Line opposite station 11 + 18.54, as shown on said right of way plans; thence Southwesterly along said turnback line to the South margin of said S.E. Eastgate Way; thence Southerly along a line perpendicular to the LL-Line, as shown on said right of way plans to said LL-Line; thence Westerly along said LL-Line to the Southwesterly extension of said Rel. 161st-Line; thence Northeasterly along said Southwesterly extension to the Point of Beginning.

From CB to O.

EG-15

That portion of the Northeast quarter of the Southwest quarter of Section 11, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the Rel. 156th-Line (156th Avenue S.E.), as shown on the SR 90, Richards Road to Lake Sammamish, Right of Way and Limited Access Plans, sheet 6 of 25, dated June 12, 1969 and the Northwesterly extension of the Northeast line of Lot 4, City of Bellevue Short Plat No. 85-33, as filed under Recording No. 8612039001; thence Southeasterly along said Northwesterly extension and Northeast line to the Easterly most corner of said lot; thence Southwesterly along the Southeast line of said short plat to the Southerly most corner of Lot 1 of said short plat; thence Northwesterly along the Southwest line thereof to the

Westerly most corner of said lot; thence Northwesterly along the Turnback Line at Rel. 156th-Line Station 509 + 51, as shown on said right of way plans to the Rel. 156th-Line; thence Northeasterly along said Rel. 156th-Line to the Point of Beginning.

From LI/C to OLB, subject to the following conditions:

a. Access to 156th Avenue S.E. shall be prohibited except that access to 156th Avenue S.E. shall continue to be permitted for the existing service station at 3260 - 156th Avenue S.E. Access to 156th Avenue S.E. from adjoining property by way of crossing the service station property shall be prohibited.

b. In addition to the special condition provided in the preceding paragraph, there shall continue to be applicable to the property each and every special condition applying to the property as set forth in the Concomitant Zoning Agreement (Clerk's Receiving No. 6015) of Ordinance 2818.

EG-17

That portion of the Northwest quarter of the Southeast quarter of Section 11, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Northeast corner of said subdivision; thence Southerly along the East line thereof 466.68 feet; thence North $88^{\circ}39'25''$ West 296.91 feet; thence South $80^{\circ}01'59''$ West 101.98 feet; thence North $88^{\circ}39'25''$ West to the centerline of the 161st Avenue S.E.; thence Northeasterly along said centerline to the North line of said subdivision; thence Easterly along said North line to the Point of Beginning.

From O to R-5.

EG-18

That portion of the Northeast quarter of the Northeast quarter of the Southeast quarter of Section 11, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Northwest corner of said subdivision; thence South $1^{\circ}28'32''$ West along the West line thereof to the South line

of the North 160.00 feet of said subdivision and the True Point of Beginning; thence South 88°38'13" East along said South line 315.52 feet; thence South 1°28'32" West 210.00 feet; thence South 73°28'32" West 331.75 feet to the West line of said subdivision; thence North 1°28'32" East along said West line to the True Point of Beginning.

From R-20 and R-30 to R-5.

EG-19

That portion of the West half of the Northeast quarter of the Southeast quarter of Section 11, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the centerline of S.E. 35th Place and the West line of said subdivision; thence North 1°27'26" East along said West line to the Northwest corner of the Southwest quarter of the Northeast quarter of the Southeast quarter of said Section 11; thence South 88°36'49" East along the North line thereof 360.00 feet to the East line of the West 360.00 feet of the Northwest quarter of the Northeast quarter of the Southeast quarter of said Section 11; thence North 1°27'26" East along said East line 400.97 feet to the South line of the North 260.00 feet of the Northeast quarter of the Southeast quarter of said Section 11; thence South 88°38'13" East along said South line 304.45 feet to the East line of the West half of the Northeast quarter of the Southeast quarter of said Section 11; thence South 1°28'32" West along said East line 96.39 feet; thence South 73°28'32" West 241.29 feet; thence South 1°28'32" West to the centerline of S.E. 35th Place; thence Westerly along said centerline to the Point of Beginning.

From R-30 and R-30/PUD to R-20, subject to the following conditions:

a. For that portion of the rezone area within the area encompassed by the Spiritridge Townhomes condominium property the Planned Unit Development for the Spiritridge Townhomes adopted July 28, 1980 under Resolution 3456 for preliminary approval of Phase I and under Resolution 3565 for preliminary approval of Phase II and under Ordinance 2867 for final approval of both Phase I and Phase II, and any amendments thereto, shall remain in effect and unaltered by this reclassification.

b. All of the property with the rezone area encompassed by the Wildridge Park condominiums property shall be subject to the provisions of the Transition Area Design District, LUC Chapter 20.25B.

EG-29 & 30

That portion of the Northeast quarter of Section 11, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the North line of said subdivision and the centerline of 161st Avenue S.E.; thence Southerly along said centerline to the Easterly extension of the South line of the Sylvan, as recorded in Volume 6 of Condominiums, Pages 33-44; thence Westerly along said Easterly extension and South line to the Southwest corner of said condominium; thence Northerly along the West line thereof and the Northerly extension of said West line to the North line of said subdivision; thence Easterly along said North line to the Point of Beginning.

From R-30 and R-5 to R-10.

RV-16

That portion of the Northeast quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Northwest corner of Tract 11, Mercer Slough Garden Tracts, as recorded in Volume 8 of Plats, Page 91; thence Southerly along the West line thereof to the South line of the North 125.00 feet of Tracts 11 and 12 of said plat and the True Point of Beginning; thence Easterly along said South line to the centerline of Henry Richards Road; thence Southwesterly along said centerline to the South line of the North 100.00 feet of Tracts 21 and 22 of said plat; thence Westerly along said South line to the West line of said Tract 22; thence Northerly along said West line and the West line of said Tract 11 to the True Point of Beginning.

From R-30 to R-20.

WP0488C-ORD
11/15/95

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RV-18

The North 108.16 feet of the East 176.00 feet of the South half of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County, Washington;

TOGETHER with the East 117.00 feet of the North half of the Southwest quarter of the Southwest quarter of the Northeast quarter of said Section 9; EXCEPT the North 211.00 feet thereof.

From O to R-30, subject to the following condition:

a. Prior to the issuance of any building permit to redevelop the site with residential uses, the applicant shall comply with Land Use Code Section 20.20.128.B.3 for the provision of affordable housing and shall sign any necessary agreements with the City to implement the requirements. For purposes of calculating the required number of affordable units, the maximum allowable density under the original Office (O) zoning is 20 units per acre. The City may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purposes of allowing the owner to obtain financing for development of the property, consistent with any applicable provisions of the Land Use Code in effect at the time of issuance of the development permit(s).

Section 3. This Ordinance shall take effect and be in force five days after its passage and legal publication.

WP0488C-ORD
11/15/95

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PASSED by the City Council this 4th day of December, 1995, and signed in authentication of its passage this 4th day of December, 1995.

(SEAL)

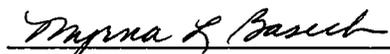

Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Andrews, City Attorney

Attest:


Myrna L. Basich, City Clerk

Published December 8, 1995